

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:10-CR-00003-JCM-(PAL)
)	
Plaintiff,)	
)	
v.)	Substitution and Forfeiture Order
)	
DAVID RAY NEWMAN,)	
)	
Defendant.)	

This Court, having read and considered the Government's Unopposed Motion to Substitute and to Forfeit Property of David Ray Newman, and good cause appearing, finds the asset described below is owned by David Ray Newman and that the property subject to criminal forfeiture (1) cannot be located upon the exercise of due diligence and (2) has been substantially diminished in value.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the following asset is substituted and is forfeited to the United States of America pursuant to 21 U.S.C. § 853(p): \$851.18 overpayment to the United States Courts (property).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk of the Court (1) issue a check in the amount of \$851.18 made payable to "The United States Marshals Service" and (2) release the check to the Federal Bureau of Investigation to hand-deliver it to the United States Marshals Service to be deposited.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of
2 America is now entitled to, and should, reduce the aforementioned property to the possession of the
3 United States of America;

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States of
5 America should take into custody the aforementioned property;

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all right, title, and
7 interest of David Ray Newman in the aforementioned property is forfeited and is vested in the
8 United States of America and shall be safely held by the United States of America until further order
9 of the Court;

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
11 America shall publish for at least thirty (30) consecutive days on the official internet government
12 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
13 property, state the time under the applicable statute when a petition contesting the forfeiture must
14 be filed, and state the name and contact information for the government attorney to be served with
15 the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section
16 853(n)(2).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
18 entity who claims an interest in the aforementioned property must file a petition for a hearing to
19 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
20 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code, Section
21 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature and extent of
22 the petitioner's right, title, or interest in the forfeited property and any additional facts supporting
23 the petitioner's petition and the relief sought.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
25 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
26 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty

1 (60) days after the first day of the publication on the official internet government forfeiture site,
2 www.forfeiture.gov.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
4 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
5 following address at the time of filing:

6 Daniel D. Hollingsworth
7 Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
10 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
11 agency following publication of notice of seizure and intent to administratively forfeit the above-
12 described property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
14 of this Order to all counsel of record.

15 DATED February 7, 2017.

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19 UNITED STATES DISTRICT JUDGE
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